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1 BEFORE THE ARIZONA CORPORATIC

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3 In the matter of:

4 WOLFEPACK TRANSPORTATION, INC.,
5 an Arizona corporation; aka
6 WOLFEPACK TRANSPORTATION, INC.,

7 and

8 MICHAEL L. HAIRSTON, SR., and
9 SHEILA HAIRSTON, husband and
10 wife;

11 Respondents.

) DOCKET NO.
) S-20629A-08-0496

) PREHEARING
) CONFERENCE

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15 At: Phoenix, Arizona

16 Date: February 5, 2009

17 Filed: FEB 11 2009

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REPORTER'S TRANSCRIPT OF PROCEEDINGS

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Arizona Corporation Commission

DOCKETED

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By: MICHELE E. BALMER
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1 BE IT REMEMBERED that the above-entitled and
2 numbered matter came on regularly to be heard before the
3 Arizona Corporation Commission, 1200 West Washington
4 Street, Phoenix, Arizona, commencing at 2:10 p.m. on the
5 5th day of February, 2009.

6

7 BEFORE: MARC E. STERN, Administrative Law Judge

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9 APPEARANCES:

10 For the Arizona Corporation Commission Securities
11 Division:

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12 Ms. Wendy Coy, Attorney,
13 Securities Division
13 1300 West Washington Street
13 Phoenix, Arizona 85007

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For Respondents:

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16 WALKER & PESKIND, PLLC
16 By: Mr. E. J. Peskind
17 7047 East Greenway Parkway, Suite 155
17 Scottsdale, Arizona 85254

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MICHELE E. BALMER
Certified Reporter
Certificate No. 50489

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1 ALJ STERN: This proceeding is now open in the
2 matter of Wolfepack Transportation, Incorporated, et al.,
3 in Docket No. S-20629A-08-0496. My name is Marc Stern.
4 I'll preside over the proceeding today.

5 And at this time we'll take appearances. And on
6 behalf of the Securities Division?

7 MS. COY: Wendy Coy.

8 ALJ STERN: And on behalf of Wolfepack and
9 Mr. and Mrs. Hairston?

10 MR. PESKIND: Yes. Good afternoon, Your Honor,
11 E.J. Peskind appearing. Thank you.

12 ALJ STERN: All right. Ms. Coy, what is the
13 status of this matter at this point?

14 MS. COY: At this point, Judge Stern, we would
15 like to request a hearing date be set.

16 ALJ STERN: Okay. Have you had a chance to talk
17 to Mr. Peskind at all?

18 MS. COY: Not yet, but we plan on talking after
19 this hearing is over.

20 ALJ STERN: How many witnesses do you think
21 you'll need for this proceeding?

22 MS. COY: Approximately five.

23 ALJ STERN: A couple investors; any accounting or
24 investigator or anything like that?

25 MS. COY: Correct. Two to three investors, and

1 an accountant and our investigator.

2 ALJ STERN: And this is less than half a million
3 dollars involved here, would you say?

4 MS. COY: It's about \$360,000.

5 ALJ STERN: Okay. Somebody just borrowed some
6 money through promissory notes? That's the way the notice
7 looks.

8 MS. COY: They were notes, yes, in several
9 different forms.

10 ALJ STERN: Okay. And Mr. Peskind, if your
11 clients were going to participate in this matter and
12 appear to defend themselves on the allegations, how many
13 witnesses would you call?

14 MR. PESKIND: I would think that at least three
15 or four.

16 ALJ STERN: Okay.

17 MR. PESKIND: And, Your Honor, may I be heard
18 regarding the setting of the hearing date?

19 ALJ STERN: Yes, sir.

20 MR. PESKIND: Only because I just recently got
21 out of the hospital. I was in for about 11 days with
22 kidney failure. And I've returned back to work, but I'm
23 not quite at full capacity at this time. So I would hope
24 that that condition would be taken into account regarding
25 the time parameters for addressing the hearing on this

1 matter.

2 ALJ STERN: All right. With respect to setting a
3 hearing, we're probably going to be talking -- you know, I
4 don't know whether you have a calendar with you. I
5 probably would set it out at least -- we're talking
6 probably in the vicinity of April or May.

7 MR. PESKIND: Okay.

8 ALJ STERN: So I'm not sure. I would have to go
9 look at the calendars. I can give you some dates if you
10 all want to consider them and/or agree upon some days in
11 terms of like a week hearing starting, like, on a Monday.
12 If we need to go all five days, we'll have it. If not, we
13 would -- if you resolve things, the Division and/or
14 yourself can join in a continuance to see if the
15 Commission would approve it. Otherwise, like I say, the
16 hearing wouldn't be anything within the next 30 days.

17 MR. PESKIND: That was my concern.

18 ALJ STERN: No, no. It won't be set that
19 quickly, because we just have too many things on our
20 schedules right now. So let me take a recess for a few
21 minutes, and I'll give you an idea of what dates we're
22 talking about.

23 Do you have a calendar handy, Ms. Coy?

24 MS. COY: Yes, I do.

25 ALJ STERN: All right. I'll be back in a minute.

1 (A recess was taken from 2:10 p.m. to 2:23 p.m.)

2 ALJ STERN: Back on the record.

3 We've had an off-the-record discussion regarding
4 scheduling of this matter for a hearing. And due to
5 various conflicts with room availability and scheduling of
6 counsel, we'll commence a hearing, if one is necessary, on
7 June 1. And also I'll set aside June 2, 3, 4, and 5 for
8 additional days of hearing.

9 I'll put out a procedural order indicating the
10 parties' agreement on this, and also specify that on or
11 about May 4, you exchange copies of your -- or excuse me.
12 Let's go back. Back it up. April -- no, it will work.
13 Just by May 1, you'll have to exchange copies of your
14 witness lists and copies of your exhibits and provide me
15 with a set of your planned exhibits also.

16 All right. Anything else?

17 MS. COY: Thank you.

18 MR. PESKIND: Your Honor, simply -- excuse me.
19 You go ahead. I didn't mean to interrupt.

20 MS. COY: No. Go ahead.

21 MR. PESKIND: I was going to say, because of my
22 lack of familiarity with your administrative procedures,
23 I'm assuming these are firm dates, unlike the Superior
24 Court where things get bounced and bumped and tossed?

25 ALJ STERN: Well, they are as firm as firm can be

1 until somebody says they're sick or they can't be here or
2 something. I mean, it's pretty much solid.

3 MR. PESKIND: Okay.

4 ALJ STERN: Anything else?

5 MS. COY: No, Your Honor.

6 ALJ STERN: Okay. With that, we'll recess this
7 matter. I'll encourage you all to maybe reach some sort
8 of a resolution in this proceeding before then. If you
9 do, file a motion to vacate the hearing date and see if
10 you can get the Commission to approve it.

11 And with that, this matter is concluded. Thank
12 you.

13 (The Prehearing Conference concluded at 2:25 p.m.)

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1 STATE OF ARIZONA)
) ss.
 2 COUNTY OF MARICOPA)

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I, MICHELE E. BALMER, Certified Reporter
 No. 50489 for the State of Arizona, do hereby certify that
 the foregoing printed pages constitute a full, true and
 accurate transcript of the proceedings had in the
 foregoing matter, all done to the best of my skill and
 ability.

WITNESS my hand this 9th day of February, 2009.

Michele E. Balmer
 MICHELE E. BALMER
 Certified Reporter
 Certificate No. 50489